

S. 383

AMENDMENT NO.

CAL. NO.

COMMITTEE AMENDMENT

[Staff Working Draft]

June 21, 1999

Purpose: To ensure that the airlines live up to their customer service commitments.

IN THE COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION\_ 106 th  
Cong., 1 st Sess.

S. 383, 106 th Congress, 1 st Session

June 23, 1999

Intended to be proposed by Mr. McCain (for himself, Mr. Hollings, and Mr.  
Rockefeller)

Viz: Strike out all after the enacting clause and insert the following:

Be it enacted by the Senate and House of Representatives of the United States of  
America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ``Airline Customer Service Commitment Act".

SEC. 2. AIRLINE CUSTOMER SERVICE REPORTS.

(a) Secretary To Report Plans Received.\_ Each air carrier that provides scheduled passenger air transportation and that is a member of the Air Transport Association, all of which have entered into the voluntary customer service commitments established by the Association on June 17, 1999, (hereinafter referred to as the ``Airline Customer Service Commitment"), shall provide a copy of its individual customer service plan to the Secretary of Transportation by September 15, 1999. The Secretary, upon receipt of

the individual plans, shall report to the Senate Committee on Commerce, Science, and Transportation and to the House of Representatives Committee on Transportation and Infrastructure the receipt of each such plan and transmit a copy of each plan.

(b) Implementation.\_ The Inspector General of the Department of Transportation shall monitor the implementation of any plan submitted to the Secretary under subsection (a) and evaluate the extent to which each such carrier has met its commitments under its plan. Each such carrier shall provide such information to the Inspector General as may be necessary for the Inspector General to prepare the report required by subsection (c).

(c) Reports to the Congress.\_

(1) Interim Report.\_ The Inspector General shall submit a report of the Inspector General's findings under subsection (a) to the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Transportation and Infrastructure by June 15, 2000, that includes a status report on completion, publication, and implementation of the Airline Customer Service Commitment and the individual airline plans to carry it out.

(2) Final Report; Recommendations.\_

(A) In general.\_ The Inspector General shall submit a final report to the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Transportation and Infrastructure by December 31, 2000, on the effectiveness of the Airline Customer Service Commitment and the individual airline plans to carry it out. The report may include any recommendation the Inspector General finds appropriate to improve consumer protections afforded to commercial air passengers.

(B) Specific Content.\_ In the final report under subparagraph (A), the Inspector General shall\_

(i) evaluate each carrier's plan for whether it is consistent with the voluntary commitments established by the Air Transport Association in the Airline Customer Service Commitment;

(ii) evaluate each carrier as to the extent to which, and the manner in which, it has performed in carrying out its plan;

(iii) identify, by air carrier, how it has implemented each commitment covered by its plan; and

(iv) provide an analysis, by air carrier, of the methods of meeting each commitment, and in such analysis provide information that allows consumers to make decisions on

the quality of air transportation provided by such carriers.

### SEC. 3. INCREASED FINANCIAL RESPONSIBILITY FOR LOST BAGGAGE.

The Secretary of Transportation shall initiate a rule making within 30 days after the date of enactment of this Act to increase the domestic baggage liability limit in part 254 of title 14, Code of Federal Regulations.

### SEC. 4. INCREASED PENALTY FOR VIOLATION OF AVIATION CONSUMER PROTECTION LAWS.

Section 46301(a) of title 49, United States Code, is amended by adding at the end thereof the following:

“(7) Consumer protection.\_ For a violation of section 41310, 41712, any rule or regulation promulgated thereunder, or other any rule or regulation promulgated by the Secretary of Transportation that is intended to afford protection to commercial air transportation consumers, the maximum civil penalty prescribed by subsection (a) may not exceed \$2,500 for each violation.”.

### SEC. 5. COMPTROLLER GENERAL INVESTIGATION.

The Comptroller General of the United States shall study the potential effects on aviation consumers, including the impact on fares and service to small communities, of a requirement that air carriers permit a ticketed passenger to use any portion of a multiple-stop or round-trip air fare for transportation independent of any other portion without penalty. The Comptroller General shall submit a report, based on the study, to the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Transportation and Infrastructure by June 15, 2000.

